

**CARELLA, BYRNE, CECCHI, OLSTEIN, BRODY & AGNELLO, P.C.**

**COUNSELLORS AT LAW**

CHARLES C. CARELLA  
BRENDAN T. BYRNE  
PETER G. STEWART  
ELLIOT M. OLSTEIN  
JAN ALAN BRODY  
JOHN M. AGNELLO  
CHARLES M. CARELLA  
JAMES E. CECCHI

JAMES T. BYERS  
DONALD F. MICELI  
A. RICHARD ROSS  
CARL R. WOODWARD, III  
MELISSA E. FLAX  
DAVID G. GILFILLAN  
G. GLENNON TROUBLEFIELD  
BRIAN H. FENLON  
LINDSEY H. TAYLOR  
CAROLINE F. BARTLETT

**5 BECKER FARM ROAD  
ROSELAND, N.J. 07068-1739  
PHONE (973) 994-1700  
FAX (973) 994-1744  
www.carellabyrne.com**

RICHARD K. MATANLE, II  
FRANCIS C. HAND  
AVRAM S. EULE  
RAYMOND W. FISHER  
\_\_\_\_\_  
OF COUNSEL

RAYMOND J. LILLIE  
WILLIAM SQUIRE  
ALAN J. GRANT\*  
STEPHEN R. DANEK  
DONALD A. ECKLUND  
MEGAN A. NATALE  
AMANDA J. BARISICH  
ZACHARY S. BOWER+  
MICHAEL CROSS  
\*MEMBER NY BAR ONLY  
+MEMBER FL BAR ONLY

JAMES D. CECCHI (1933-1995)  
JOHN G. GILFILLAN III (1936-2008)

December 8, 2014

**Via ECF**

Hon. Joel A. Pisano  
United States District Judge  
Clarkson S. Fisher Bldg.  
& U.S. Courthouse  
402 E. State Street  
Trenton, New Jersey 08608

Re: *In re: Fosamax (Alendronate Sodium) Products Liability Litigation*  
Master Docket 3:08-08 (JAP)(LHG)

Dear Judge Pisano:

This firm, together with Seeger Weiss LLP, is Co-Liaison Counsel for the Plaintiffs in the above referenced matter. We write in connection with the Court's Order to Show Cause entered on November 5, 2014. Docket Entry 3927. We wish to respectfully clarify a misconception currently held by the Court that was incorporated into the Court's Order to Show Cause. The Plaintiffs' Steering Committee has not taken a position regarding the adequacy (or inadequacy) of the January 2011 Fosamax label because to our knowledge all plaintiffs began using Fosamax before that label went into effect. As stated in our previous submissions to the Court, the Plaintiffs' Steering Committee is unaware of any plaintiff who claims that the January 2011 label was a proximate cause of her/his alleged injury. Accordingly, the adequacy of the January 2011 label has not been placed at issue because it was not a proximate cause of any plaintiff's injury.

Thank you for your continued attention to this matter.

Respectfully submitted,  
CARELLA, BYRNE, CECCHI,  
OLSTEIN, BRODY & AGNELLO

/s/ James E. Cecchi

JAMES E. CECCHI

cc: Hon. Lois H. Goodman, U.S.M.J. (via ECF)  
All Counsel of Record (via ECF)